

TRAINOR FAIRBROOK
Attorneys At Law
980 FULTON AVENUE
SACRAMENTO, CALIFORNIA 95825-4558
Telephone: (916) 929-7000
Facsimile: (916) 929-7111

1 TRAINOR FAIRBROOK
JOHN D. FAIRBROOK (SBN 105115)
2 ARTHUR B. MARK, III (SBN 220865)
980 Fulton Avenue
3 Sacramento, California 95825-4558
Telephone: (916) 929-7000
4 Facsimile: (916) 929-7111
wms:4371002.513701.1

5 Attorneys for Plaintiff
6 WRI GOLDEN STATE, LLC

7 DANIEL J. MULLER (SBN 193396)
KARIN M. FRENZA (SBN 244606)
8 THELEN REID BROWN RAYSMAN & STEINER LLP
225 West Santa Clara Street, 12th Floor
9 San Jose, California 95113
Telephone: (408) 292-5800
10 Facsimile: (408) 287-8040

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 WRI GOLDEN STATE, LLC, a Delaware
limited liability company

15 Plaintiff,

16 v.

17 SAVE MART SUPERMARKETS, d/b/a
18 FOOD MAXX,

19 Defendant.

Case No. C07-1480 (MMC)

**STIPULATION EXTENDING THE TIME
FOR PLAINTIFF TO FILE A REPLY TO
DEFENDANT'S COUNTER-CLAIM FOR
DECLARATORY RELIEF**

~~PROPOSED~~ ORDER EXTENDING TIME

Judge Maxine M. Chesney

20
21
22
23
24
25
26
27
28 **STIPULATION AND [PROPOSED] ORDER ENLARGING TIME FOR
PLAINTIFF TO FILE A REPLY TO DEFENDANT'S COUNTER CLAIM FOR
DECLARATORY RELIEF**

Pursuant to Civil L.R. 6-2, the parties hereby stipulate that Plaintiff may have an extension of time to September 7, 2007 to file its response to Defendant's Counterclaim for Declaratory Relief. As stated in the Declaration of John Fairbrook filed herewith, the reasons for the extension of time is that Plaintiff's counsel requires additional time to respond due to an oversight, and Defendants' counsel has agreed to the extension.

Since the court issued its Pretrial Preparation Order on June 22, 2007, there have been no time modifications either by Stipulation or Court Order in this case. (See Fairbrook Dec. at ¶ 5.)

Extending the time for Plaintiff to file its response to Defendant's Counterclaim will not affect the schedule that is set forth in the Court's Pretrial Preparation Order. (See Fairbrook Dec. at ¶ 5.) Accordingly, there will be no prejudice to the court or to Defendant by this extension of time.

Dated: August 27, 2007

Respectfully submitted,

TRAINOR FAIRBROOK

By: 

JOHN D. FAIRBROOK, Attorneys for
WRI GOLDEN STATE, LLC, Plaintiff/
Counter-Defendant

Dated: August 27, 2007

Respectfully submitted,

THELEN REID BROWN RAYSMAN &
STEINER LLP

By: 

KARIN M. FRENZA, Attorneys for
Defendant/Counter-Claimant, SAVE
MART SUPERMARKETS

STIPULATION AND [PROPOSED] ORDER ENLARGING TIME FOR
PLAINTIFF TO FILE A REPLY TO DEFENDANT'S COUNTER CLAIM FOR
DECLARATORY RELIEF

-1-

TRAINOR FAIRBROOK
Attorneys at Law
980 FULTON AVENUE
SACRAMENTO, CALIFORNIA 95825-4558
Telephone: (916) 929-7000
Facsimile: (916) 929-7111

**ORDER EXTENDING THE TIME FOR PLAINTIFF TO FILE A RESPONSE TO
DEFENDANT'S COUNTERCLAIM**

IT IS HEREBY ORDERED that the Court has considered the foregoing Stipulation, and pursuant to the Stipulation IT IS ORDERED that Plaintiff shall have until September 7, 2007 to file and serve its response to Defendant's Counterclaim for Declaratory Relief.

Dated: August 29, 2007


HONORABLE MAXINE M. CHESSEY
UNITED STATES DISTRICT JUDGE

TRINOR FAIRBROOK
Attorneys At Law
980 FULTON AVENUE
SACRAMENTO, CALIFORNIA 95825-4558
Telephone: (916) 929-7000
Facsimile: (916) 929-7111